

JOHN YAHNE.

JUNE 1, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

MR. WARNER, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 4503.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4503) granting an increase of pension to John Yahne, have examined the same and all the evidence relating thereto and report:

This bill as amended proposes to increase from \$17 to \$30 per month the pension of John Yahne, of Colorado, Pope County, Ill., late a private in Company F, Eleventh Illinois Volunteer Infantry.

The claimant was enlisted as a private, Company K, One hundred and ninth Illinois Volunteers (which became Company F, Eleventh Illinois Volunteers), August 15, 1862, and discharged from hospital June 12, 1865, at Baton Rouge, La. He was under treatment in regiment for quotidian intermittent fever ("fourth day ague") March 11, 1865, and for acute diarrhea March 17, 1865. March 25, 1865, he was at barracks general hospital with chronic diarrhea; was transferred April 2, 1865, to general hospital, Baton Rouge, La., having same disease, and was discharged from that hospital on his individual muster June 12, 1865.

He was pensioned at \$4 from June 13, 1865, for chronic diarrhea and resulting piles; increased to \$6 from November 2, 1881, for same disease; dropped September 4, 1885; restored at \$6 July 7, 1887, from September 4, 1885; increased to \$10 from December 7, 1887, for chronic diarrhea and resulting piles, impaired digestion, and disease of heart; increased to \$14 August 1, 1888, for same diseases, with the additional one of "disease of rectum;" increased July 23, 1890, for "chronic diarrhea and resulting piles, disease of rectum, impaired digestion, and disease of heart," to \$17.

A vast amount of medical evidence is on file and additional medical evidence has been submitted to the committee. It would subserve no good purpose to abstract or recapitulate this testimony, or even give the names of the physicians whose affidavits have been examined.

The evidence is conclusive that the condition of claimant from the above-pensioned disabilities, admittedly of service origin, is such that he is totally incapacitated for physical or manual labor. In addition, he is now so blind, and has been for three or four years last past, that he can only get about by the aid of another person. His last medical examination disclosed that he was entitled to a total third grade (\$24) for disability caused by chronic diarrhea and resulting piles and impaired digestion; ten-eighteenths for heart disease; two-eighteenths for rheumatism, and total first grade (\$72) for disease of eyes resulting in blindness. Two reputable physicians who have known him for twenty-five years, having carefully examined him, declare their belief on oath that his blindness is the result of the above pensioned disabilities.

The committee can not say in the rejection of his claim for increase above \$17 per month that the Pension Bureau has grievously erred in not accepting blindness as result of pensioned disabilities, although it believes on his last examination a rating of \$24 per month might have been justified on the evidence, without regard to any disability from blindness.

This claimant was a good soldier. It is but a matter of history that while others of his regiment faltered in the great struggle and proved disloyal, he remained true to his country and its flag. This Congress has passed acts for the pensioning of officers and the widows of officers of high rank for no reason whatever except the honorable service of the soldier and his need, or the need of his widow or child. It is difficult to perceive why any different rule should be adopted with reference to a private. It was the meritorious service of the private soldier that made it possible that his officer could attain the rank of general. The Republic expected of every one of its soldiers that he should do his duty in the great conflict that involved the nation's life. It expected no more than this from general or private, and demanded no less. After each had been paid and pensioned under the general laws, neither has any right to make claim upon his Government except on the ground of charity. Upon that ground the commissioned officer and the enlisted man should be regarded by the Congress as equals.

This claimant, according to the evidence, is needy. He is without means or income except his pension of \$17 per month, and \$30 per month is justified.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

Line 4, strike out the words "increase the pension" and insert in lieu thereof the following: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name."

Line 6, strike out "from seventeen dollars to" and insert in lieu thereof the following: "and pay him a pension at the rate of."

At the end of line 7 add: "in lieu of the pension he is now receiving."